

CLAIMS: DURATION OF JOINT COMMISSION

Convention signed at Washington April 29, 1876, modifying convention of July 4, 1868, as modified

Senate advice and consent to ratification May 24, 1876

Ratified by Mexico May 30, 1876

Ratified by the President of the United States June 27, 1876

Ratifications exchanged at Washington June 29, 1876

Entered into force June 29, 1876

Proclaimed by the President of the United States June 29, 1876

Expired in accordance with its terms.

19 Stat. 642; Treaty Series 218

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE MEXICAN REPUBLIC

Whereas, pursuant to the Convention between the United States and the Mexican Republic of the 19th. day of April, 1871,¹ the functions of the joint commission under the Convention between the same parties of the 4th. of July, 1868,² were extended for a term not exceeding one year from the day on which they were to terminate according to the Convention last named;

And whereas, pursuant to the first Article of the Convention between the same parties, of the twenty-seventh day of November, one thousand eight hundred and seventy-two,³ the joint commission above referred to was revived and again extended for a term not exceeding two years from the day on which the functions of the said commission would terminate pursuant to the said Convention of the nineteenth day of April 1871;

And whereas pursuant to the Convention between the same parties, of the twentieth day of November one thousand eight hundred and seventy-four,⁴ the said commission was again extended for one year from the time when it would have expired pursuant to the Convention of the twenty-seventh of November one thousand eight hundred and seventy-two, that is to say, until the thirty-first day of January one thousand eight hundred and seventy-six;

¹ TS 214, *ante*, p. 834.

² TS 212, *ante*, p. 826.

³ TS 215, *ante*, p. 836.

⁴ TS 217, *ante*, p. 838.

and it was provided that if at the expiration of that time, the Umpire under the Convention should not have decided all the cases which may then have been referred to him, he should be allowed a further period of not more than six months for that purpose;

And whereas, it is found to be impracticable for the Umpire appointed pursuant to the Convention adverted to, to decide all the cases referred to him, within the said period of six months prescribed by the Convention of the twentieth of November one thousand eight hundred and seventy four;

And the parties being still animated by a desire that all that business should be closed as originally contemplated, the President of the United States has for this purpose conferred full powers on Hamilton Fish, Secretary of State, and the President of the Mexican Republic has conferred like powers on Don Ignacio Mariscal, Envoy Extraordinary and Minister Plenipotentiary of that Republic to the United States; and the said Plenipotentiaries having exchanged their full powers, which were found to be in due form, have agreed upon the following articles:

ARTICLE I

The high contracting parties agree that if the Umpire appointed under the Convention above referred to, shall not, on or before the expiration of the six months allowed for the purpose by the second Article of the Convention of the twentieth of November one thousand eight hundred and seventy-four, have decided all the cases referred to him, he shall then be allowed a further period until the twentieth day of November one thousand eight hundred and seventy-six, for that purpose.

ARTICLE II

It is further agreed that so soon after the twentieth day of November one thousand eight hundred and seventy-six as may be practicable, the total amount awarded in all cases already decided, whether by the Commissioners or by the Umpire, and which may be decided before the said twentieth day of November, in favor of citizens of the one party shall be deducted from the total amount awarded to the citizens of the other party, and the balance, to the amount of three hundred thousand dollars, shall be paid at the city of Mexico, or at the city of Washington, in gold or its equivalent, on or before the thirty-first day of January one thousand eight hundred and seventy-seven, to the government in favor of whose citizens the greater amount may have been awarded, without interest or any other deduction than that specified in Article VI of the said Convention of July 1868. The residue of the said balance shall be paid in annual instalments on the thirty-first day of January in each year, to an amount not exceeding three hundred thousand dollars, in gold or its equivalent, in any one year, until the whole shall have been paid.

ARTICLE III

The present Convention shall be ratified, and the ratifications shall be exchanged at Washington, as soon as possible.

In witness whereof the above-named Plenipotentiaries have signed the same and affixed thereto their respective seals.

Done in Washington the twenty-ninth day of April, in the year one thousand eight hundred and seventy-six.

HAMILTON FISH [SEAL]

IGNO. MARISCAL [SEAL]